

HOUSE BILL 1545

By Weaver

AN ACT to amend Tennessee Code Annotated, Title 37,
Chapter 1, relative to special advocates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-149, is amended by deleting subdivisions (b)(2) and (b)(3) and substituting the following:

(2) A court shall notify the parents of a child who is the subject of an investigation under §§ 37-1-401 – 37-1-411 that the parents have a right to a family special advocate unless an articulated immediate threat of harm exists. If a parent requests a family special advocate in accordance with this subsection (b), then the court shall appoint a family special advocate to serve in the interests of family reunification and family support. The family special advocate must be appointed without delay, and may be present at all meetings, court appearances, and other proceedings related to the investigation which the parents are permitted to attend.

(3) A court-appointed special advocate or family special advocate shall conduct an investigation and make reports and recommendations pertaining to the welfare of a child and family reunification as the court may order or direct.

(4) A guardian ad litem, special advocate, or family special advocate appointed by the court is presumed to be acting in good faith and in so doing is immune from liability that might otherwise be incurred while acting within the scope of the appointment.

(5) As used in this subsection (b), "family special advocate" means a nonlawyer who is trained in family advocacy.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.